

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

JOSIE MCCORMICK,

Plaintiff,

v.

MATTHEW ALLABACH,

Defendant.

CIVIL ACTION NO. 4:17-cv-01688

(SAPORITO, M.J.)

FILED  
WILKES BARRE  
SEP 24 2020  
PER MS  
DEPUTY CLERK

VERDICT SLIP

**Count I – 42 U.S.C. § 1983**

1. Was Defendant Matthew Allabach acting under color of state law?

Yes x No     

2. Did Defendant Matthew Allabach sexually harass and/or assault the Plaintiff, Josie McCormick?

Yes X No     

If you answered no to Question 2, the plaintiff cannot recover on this count. Proceed to Question 7. If you answered yes to Question 2, proceed to Question 3.

3. Did Defendant Matthew Allabach deprive Plaintiff, Josie McCormick, of a Federal Constitutional Right when he sexually harassed and/or assaulted her?

Yes X

No \_\_\_\_\_

4. If you answered "yes" to Question 3, what amount of damages, if any, should be awarded to Plaintiff, Josie McCormick, to compensate for her emotional and mental harm including fear, humiliation, and mental anguish, and any such emotional mental harm that she is reasonably certain to experience in the future caused by Defendant's conduct?

\$ 500,000.00

5. If you answered "yes" to Question 3, did Defendant Matthew Allabach act maliciously or wantonly in violating Plaintiffs' Federally protected rights?

Yes X

No \_\_\_\_\_

6. If you answered "yes" to Question 5, what amount of punitive damages, if any, should be assessed against the Defendant?

\$ 500,000

### Count 2 – False Imprisonment

7. Did Defendant Matthew Allabach intentionally cause the confinement of Plaintiff Josie McCormick against her will?

Yes x

No \_\_\_\_\_

8. What amount of damages, if any, should be assessed against the Defendant, Matthew Allabach?

Compensatory damages \$ 500,000  
Punitive damages \$ 500,000

**Count 3 – Assault**

9. a. Did Defendant Matthew Allabach intend to put Plaintiff Josie McCormick in reasonable and immediate fear of a harmful or offensive contact with his body?

Yes X No     

b. If the answer to the above Question is “yes,” was Plaintiff Josie McCormick, as a result of Defendant Matthew Allabach’s acts, put in reasonable and immediate fear of such contact?

Yes X No     

If you answered “no” to the above question, do not answer Question 10.

10. If you answered "yes" to Question 9(a) and (b), what amount of damages, if any, should be assessed against the Defendant, Matthew Allabach.

Compensatory damages \$ 500,000

Punitive damages \$ 500,000

Date: 9-24-20

Michael Antel

Jury Foreperson